

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 8414/2019

Heeralal Barupal S/o Late Shri Lachhi Ram Barupal, Aged About 65 Years, R/o Plot No. 57, Kanak Vihar, Sirsi Road, Jaipur Presently R/o 12, Mahima Nagar (Vistar) Muhana Mandi Road, Mansarovar, Jaipur.

----Petitioner

Versus

State Of Rajasthan, Through P.p.

----Respondent

For Petitioner(s)	:	Mr. Harendra Singh Sinsinwar
For Respondent(s)	:	Mr. S.S. Ola, P.P.

HON'BLE MR. JUSTICE G R MOOLCHANDANI(V J)

Order

28/06/2019

Petitioner has filed this petition u/s.438 of Cr.P.C. apprehending his arrest in connection with FIR No.328/2019 registered at Police Station Karni Vihar, Jaipur (West) for offences punishable under Sections 354 (a) (1) (i), 354 (a) (1) (ii) and 354 (b) of Indian Penal Code.

It has been contended by the learned counsel for the petitioner that a fake F.I.R. has been lodged against the petitioner by his own daughter-in-law (son's wife) owing to grab property, petitioner is a retired audit officer, aged sixty-five years and had undergone a minor surgery for paraphimosis and was not in a position to molest anybody, allegations of alleged incest have wrongly been levelled just to create pressure, petitioner is a senior citizen and shall abide by the conditions imposed for grant of pre-

arrest bail and shall not tamper with the evidence, so he be given pre-arrest bail.

Learned Public Prosecutor has opposed the bail application.

Heard and perused the material available on record, which goes to reveal that Heera Lal, aged sixty-five years has been treated by Balaji Multispeciality Hospital, Sirsi Road, Jaipur on 23.04.2019 for paraphimosis and his private part has got excision of the skin and is a senior citizen.

Considering the aforesaid, without commenting anything on the merits of the case, the present petition seeking pre-arrest bail is allowed.

Resultantly, it is ordered that in the event of arrest, petitioner be admitted to bail subject to satisfaction of the Investigating Officer/SHO concerned. Petitioner shall join investigation as and when required by the Police and shall not leave the country without prior permission of the Court. Petitioner shall not tamper with the prosecution evidence.

(G R MOOLCHANDANI) V.J